

FILED

AUG 27 2015

BOARD OF MASSAGE
AND BODYWORK THERAPY

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF MASSAGE AND BODYWORK
THERAPY

IN THE MATTER OF THE
APPLICATION OF

GREGORY T. BURNS, JR.

FINAL ORDER OF
DENIAL OF LICENSURE

TO PRACTICE MASSAGE AND
BODYWORK THERAPY IN THE
STATE OF NEW JERSEY

This matter was opened to the Board of Massage and Bodywork Therapy ("the Board") upon receipt of information which the Board has reviewed and the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Gregory T. Burns, Jr. submitted an application for licensure by the Board.
2. On Mr. Burns's application, he indicated that he had never been charged with or convicted of any crime or offense.
3. A criminal history background check revealed that Mr. Burns had been arrested six times from 1991 through 1998, on charges of disorderly conduct, shoplifting, theft, burglary, marijuana possession, violation of probation and theft by unlawful taking. The disposition of most of these arrests could not be documentation because of their age.

4. Respondent indicated that he answered "no" to the questions about arrests and convictions because he has lived a "relatively clean life, and did not intend to engage in misrepresentation.

CONCLUSIONS OF LAW

1. Mr. Burns's failure to disclose six arrests on his application constitutes misrepresentation in violation of N.J.S.A. 45:11-21(b).

Based on the foregoing findings and conclusions, a Provisional Order of Denial of Licensure was entered on June 25, 2015, provisionally denying Mr. Burns's application for licensure. A copy of the Order was served upon Mr. Burns by certified and regular mail at his address of record. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th day following entry unless Mr. Burns requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting the applicant's request for consideration and reasons therefor.

The record reflects that the certified mailing of the Provisional Order was delivered to Mr. Burns at his address of record on August 3, 2015. The regular mailing of the Provisional Order was not returned. No response has been received to date. The

Board considered this matter, and determined that service had been effected. The Board further determined that as no discrepancies had been raised with respect to the findings and conclusions of the Provisional Order, additional proceedings were not necessary, and the Provisional Order should be made final.

ACCORDINGLY,

IT IS on this 27th DAY of August, 2015,

ORDERED that:

1. Mr. Burns's application for licensure as a massage and bodywork therapist in the State of New Jersey is hereby denied. No subsequent application for licensure will be entertained for a period of two years, dating from the filing of a Final Order in this matter.

NEW JERSEY STATE BOARD OF
MASSAGE AND BODYWORK THERAPY

By:


Cynthia Sinicrope-Philibosian
Chairperson